

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

4:15-CR-3010

vs.

SERGIO VALENCIA, SR.,

ORDER

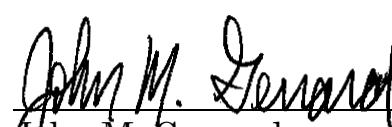
Defendant.

IT IS ORDERED:

1. The defendant's request for a copy of his docket sheet (filing 216) is granted.
2. A copy of the docket sheet is attached to this order.

Dated this 3rd day of August, 2017.

BY THE COURT:



John M. Gerrard
United States District Judge

The public should not infer cooperation from skipped entries on the docket sheet because the court's practice is to seal any number of documents.

APPEAL,CLOSED,CUSTODY,TRIAL-LINCOLN
U.S. District Court
District of Nebraska (4 Lincoln)
CRIMINAL DOCKET FOR CASE #: 4:15-cr-03010-JMG-CRZ-1

Case title: USA v. Valencia et al
Other court case numbers: 4:11cr3111 USDC-NE
4:12cr3000 USDC-NE
4:12cr3102 USDC-NE
4:14cr3045 USDC-NE
4:14cr3047 USDC-NE

Date Filed: 01/21/2015
Date Terminated: 06/06/2017

| Date Filed | # | Docket Text |
|------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/21/2015 | <u>1</u> | INDICTMENT with foreperson's signature redacted pursuant to the E-Government Act. PART 1 OF 2 as to defendants Sergio Valencia Sr. and Marisela Pescador. (JSF) (Entered: 01/22/2015) |
| 01/21/2015 | <u>2</u> | PART 2 OF 2 – FOREPERSON'S SIGNATURE PAGE regarding Indictment <u>1</u> as to defendants Sergio Valencia and Sr, Marisela Pescador. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(e). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (JSF) (Entered: 01/22/2015) |
| 01/21/2015 | <u>3</u> | CRIMINAL COVER SHEETS as to defendants Sergio Valencia, Sr. and Marisela Pescador. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (JSF) (Entered: 01/22/2015) |
| 01/21/2015 | | Remark – Public: Case filed under seal on 1/21/2015 and unsealed on 2/19/2015 pursuant to memorandum as to defendants Sergio Valencia, Sr. and Marisela Pescador. (JAB) (Entered: 02/19/2015) |
| 02/19/2015 | <u>5</u> | NOTICE (MEMORANDUM) TO UNSEAL CASE by Attorney Sara E. Fullerton as to defendants Sergio Valencia, Sr. and Marisela Pescador. (JAB) (Entered: 02/19/2015) |
| 02/25/2015 | <u>9</u> | RULE 5 PLEADINGS – IN received from USDC-Central District of California (Eastern Division – Riverside); case no. 4:15mj52 as to defendant Sergio Valencia, Sr. (Attachments): # <u>1</u> Affidavit re Out-of-District Warrant, # <u>2</u> Report Commencing Criminal Action, # <u>3</u> Nebraska Warrant and Indictment, # <u>4</u> Government's Notice of Request for Detention, # <u>5</u> Rule 5 Minutes from Hearing held 2/17/15, # <u>6</u> Waiver of Rights, # <u>7</u> Minutes of Detention Hearing held 2/19/15, # <u>8</u> Order of Detention, # <u>9</u> Final Commitment and Warrant of Removal, # <u>10</u> CJA Voucher) (JSF). Attachment #3 was modified on 2/25/15 to reflect ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT (and modified to add a sealed attachment) (JSF). (Entered: 02/25/2015) |

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| 03/11/2015 | 14 | TEXT ORDER SETTING HEARING as to defendant Sergio Valencia, Sr. Initial Appearance set for 3/20/2015 at 02:00 PM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 03/11/2015) |
| 03/18/2015 | <u>25</u> | NOTICE OF ATTORNEY APPEARANCE by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr. (Monzon, Carlos) (Entered: 03/18/2015) |
| 03/19/2015 | 28 | TEXT ORDER RESCHEDULING HEARING as to defendant Sergio Valencia, Sr. At the request of the interpreter, Initial Appearance rescheduled for 3/20/2015 at 02:30 PM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 03/19/2015) |
| 03/20/2015 | 30 | TEXT ORDER RESETTING HEARING as to defendant Sergio Valencia, Sr. At the Court's request, the Initial Appearance is reset for 3/20/2015 at 01:00 PM in Courtroom 2 , Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. Ordered by Magistrate Judge Cheryl R. Zwart. (DMS) (Entered: 03/20/2015) |
| 03/20/2015 | 31 | TEXT MINUTE ENTRY for proceedings held before Magistrate Judge Cheryl R. Zwart in Lincoln on 3/20/2015 as to defendant Sergio Valencia, Sr. Initial Appearance on Indictment held. Appointment of counsel waived, defendant has retained counsel. Arraignment on Indictment held. Not guilty plea entered. Trial set 5/11/2015 before Judge Gerrard. Pretrial motions to be filed by 4/20/2015. Counsel to comply with local rules regarding discovery. Joint Progression Order to be issued. Government moves for detention. Detention Hearing set for 3/25/2015 at 02:00 PM in Courtroom 2, Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. Defendant remanded to custody of the U.S. Marshal to be held on temporary order of detention. Courtroom Deputy: Jeri Bierbower. Reporter: Digital Recorder. Appearance for Plaintiff: Sara Fullerton; For Defendant: Carlos Monzon, Retained. Spanish Interpreter Laura Garcia-Hein – Remote. Time Start: 1:08 PM; Time Stop: 1:19 PM; Time in Court: 11 Minutes. (JAB) (Entered: 03/20/2015) |
| 03/20/2015 | <u>32</u> | AUDIO FILE. Audio as to Defendant (1) Sergio Valencia Sr.. Court Date & Time [03/20/2015 1:08:35 PM]. File Size [2308 KB]. Run Time [00:09:37]. (Initial Appearance). (auto-docket). (Entered: 03/20/2015) |
| 03/20/2015 | <u>33</u> | JOINT ORDER FOR PROGRESSION OF A CRIMINAL CASE as to defendant Sergio Valencia, Sr. and Marisela Pescador: a) Rule 16 discovery due within 14 days. b) Pretrial Motion Deadline set for 4/20/2015 . c) 10-day Jury Trial set for 5/11/2015 at 09:00 AM in Courtroom 1 , Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 03/20/2015) |
| 03/20/2015 | 35 | TEXT ORAL MOTION – for detention by Attorney Sara E. Fullerton as to defendant Sergio Valencia, Sr. (JAB) (Entered: 03/25/2015) |
| 03/23/2015 | <u>34</u> | ARREST WARRANT RETURNED EXECUTED as to defendant Sergio Valencia, Sr. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (JSF) (Entered: 03/23/2015) |
| 03/25/2015 | 36 | TEXT MINUTE ENTRY for proceedings held before Magistrate Judge Cheryl R. Zwart in Lincoln on 3/25/2015 as to defendant Sergio Valencia, Sr. Detention Hearing began. Pretrial Services directed to investigate equity in property for a possible bond, and violation of release condition in California case. Detention Hearing continued to 4/3/2015 09:30 AM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. Defendant remanded to the custody of the U.S. Marshal to be detained pending further order of the court. Courtroom Deputy: Jeri A. Bierbower. Reporter: Digital Recorder. Appearance for Plaintiff: Bruce Gillan; For Defendant: Jessica Milburn, CJA. Interpreter waived on the record, no interpreter used during hearing. Time Start: 2:03 |

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| | | PM; Time Stop: 2:14 PM; Time in Court: 11 Minutes. (JAB) (Entered: 03/25/2015) |
| 03/25/2015 | <u>37</u> | 🔊 AUDIO FILE. Audio as to Defendant (1) Sergio Valencia Sr.. Court Date & Time [03/25/2015 2:03:07 PM]. File Size [2570 KB]. Run Time [00:10:43]. (Detention hearing). (auto-docket). (Entered: 03/25/2015) |
| 04/03/2015 | 40 | TEXT MINUTE ENTRY for proceedings held before Magistrate Judge Cheryl R. Zwart in Lincoln on 4/3/2015 as to defendant Sergio Valencia, Sr. Detention Hearing held. Court takes judicial notice of indictment and pretrial service reports. Proffer by both parties. Argument by both parties. Government's motion for detention 35 is denied. Defendant released on conditions. Order forthcoming. Courtroom Deputy: Jeri A. Bierbower. Reporter: Digital Recorder. Appearance for Plaintiff: Sara Fullerton; For Defendant: Carlos Monzon, Retained. No interpreter used during hearing. Time Start: 9:53 AM; Time Stop: 10:06 AM; Time in Court: 13 Minutes. (JAB) (Entered: 04/03/2015) |
| 04/03/2015 | <u>41</u> | 🔊 AUDIO FILE. Audio as to Defendant (1) Sergio Valencia Sr.. Court Date & Time [04/03/2015 9:53:50 AM]. File Size [2859 KB]. Run Time [00:11:55]. (Detention Hearing). (auto-docket). (Entered: 04/03/2015) |
| 04/03/2015 | <u>42</u> | ORDER SETTING CONDITIONS OF RELEASE as to defendant Sergio Valencia, Sr. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Ordered by Magistrate Judge Cheryl R. Zwart. (NMW) (Entered: 04/03/2015) |
| 04/08/2015 | 45 | TEXT NOTICE as to defendant(s) Sergio Valencia, Sr, Marisela Pescador that between November 14, 2014, and March 26, 2015, CM/ECF Notices of Electronic Filing (NEFs) did not list the names of all attorneys or parties receiving notice in multi-defendant criminal, magistrate, or petty offense cases. CM/ECF nevertheless sent notice to all attorneys or parties, even though their names were not correctly displayed. The problem has now been resolved. You are receiving this notice because you are involved in one of the affected cases. CM/ECF will regenerate the NEF(s) for the affected document(s) following your receipt of this notice. (TCL) (Entered: 04/08/2015) |
| 04/28/2015 | <u>46</u> | WAIVER of Speedy Trial by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr. (Monzon, Carlos) (Entered: 04/28/2015) |
| 04/28/2015 | <u>47</u> | UNOPPOSED MOTION to Continue by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr. (Monzon, Carlos) (Entered: 04/28/2015) |
| 04/29/2015 | <u>48</u> | ORDER granting <u>47</u> Motion to Continue filed by Sergio Valencia Sr. (1). 1) Defendant Valencia's motion to continue, (filing no. <u>47</u>), is granted. 2) As to both defendants , 10-day jury trial set July 13, 2015 at 9:00 , or as soon thereafter as the case may be called. 3) As to both defendants , the time between today's date and July 13, 2015, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 04/30/2015) |
| 06/23/2015 | <u>50</u> | ORDER granting 49 Motion to Continue regarding defendants Sergio Valencia Sr.(1) and Marisela Pescador (2). 1) Defendant Pescador's motion to continue, (filing no. 49), is granted. 2) As to both defendants , the trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on August 24, 2015 , or as soon thereafter as the case may be called, for a duration of ten (10) trial days. 3) As to both defendants , the time between today's date and August 24, 2015, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 06/23/2015) |
| 08/12/2015 | <u>51</u> | ORDER SETTING CHANGE OF PLEA HEARING as to defendant Sergio Valencia, Sr. The defendant's request to set a change of plea hearing is granted. This case, |

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| | | insofar as it concerns this defendant, is removed from the trial docket based upon the request of the defendant. Change of Plea Hearing set for 10/7/2015 at 09:30 AM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. The time between today's date and the hearing on the anticipated plea of guilty is excluded for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. 3161(h)(1). Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 08/12/2015) |
| 08/14/2015 | <u>52</u> | UNOPPOSED MOTION to Continue <i>Trial</i> by Attorney Thomas R. Lamb as to defendant(s) Sergio Valencia, Sr, Marisela Pescador. (Lamb, Thomas) (Entered: 08/14/2015) |
| 08/14/2015 | <u>53</u> | ORDER granting <u>52</u> Motion to Continue as to defendants Sergio Valencia Sr. (1), and Marisela Pescador (2). Jury Trial set for 10/19/2015 at 09:00 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. The time between today's date and the anticipated trial is excluded for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. 3161(h)(1). Ordered by Magistrate Judge Cheryl R. Zwart. (GJG) (Entered: 08/14/2015) |
| 09/25/2015 | <u>54</u> | UNOPPOSED MOTION to Continue by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr. (Monzon, Carlos) (Entered: 09/25/2015) |
| 09/29/2015 | <u>55</u> | ORDER granting <u>54</u> Defendant's Motion to Continue as to Sergio Valencia Sr. (1). Change of Plea Hearing continued to 11/17/2015 at 09:30 AM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. The time between today's date and the anticipated hearing is excluded for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. 3161(h)(1). Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 09/29/2015) |
| 11/16/2015 | <u>59</u> | MOTION to Continue by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr. (Monzon, Carlos) (Entered: 11/16/2015) |
| 11/16/2015 | <u>60</u> | ORDER granting in part and denying in part <u>59</u> Motion to Continue as to Sergio Valencia Sr. (1). Change of Plea Hearing continued to 12/15/2015 at 09:00 AM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. The time between today's date and the anticipated hearing is excluded for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. 3161(h)(1). Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 11/16/2015) |
| 12/09/2015 | 61 | TEXT ORDER RESETTING HEARING as to defendant Sergio Valencia, Sr. On the court's own motion, and without objection by the parties, the Change of Plea Hearing is re-set for 12/15/2015 at 01:00 PM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 12/09/2015) |
| 12/11/2015 | <u>62</u> | UNOPPOSED MOTION to Continue by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr. (Monzon, Carlos) (Entered: 12/11/2015) |
| 12/15/2015 | <u>63</u> | ORDER granting <u>62</u> Defendant's Motion to Continue plea as to Sergio Valencia Sr. (1). Change of Plea Hearing continued to 1/20/2016 at 01:30 PM in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. The time between today's date and the anticipated hearing is excluded for purposes of computing the limits under the Speedy Trial Act. See 18 U.S.C. 3161(h)(1). Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 12/15/2015) |
| 01/20/2016 | 67 | TEXT MINUTE ENTRY for proceedings held before Magistrate Judge Cheryl R. Zwart in Lincoln on 1/20/2016 as to defendants Sergio Valencia, Sr. and Marisela Pescador. Case was set for change of plea hearings for each defendant today. Defendant Sergio Valencia failed to appear, but through counsel, Carlos Monzon, represented that the defendant did not have funds available to return to Nebraska for his hearing. Tom Lamb represented the same information regarding defendant Marisela Pescador. Ms. Pescador was present by phone and asked for one last continuance of her plea hearing. Defendant's motion is granted. Change of Plea |

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| | | <p>hearing for defendant Pescador continued to 2/11/2016 at 1:30 pm in Courtroom 2, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Magistrate Judge Cheryl R. Zwart. Regarding defendant, Sergio Valencia, the government is not moving for a warrant. Court sets Trial for both defendants on March 14, 2016 at 9:00 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge Gerrard. The time between today's date and 3/14/2016 shall be excluded from calculation under the Speedy Trial Act. Appearance for Plaintiff: Sara Fullerton; for Defendant Pescador: Tom Lamb, CJA; For Defendant Valencia prior to hearing: Carlos Monzon, Retained. Courtroom Deputy: Jeri Bierbower; Court Reporter: digital. No interpreter used during hearing. Time Start: 1:59 PM; Time Stop: 2:10 PM; Time in Court: 11 Minutes. (JAB) (Entered: 01/20/2016)</p> |
| 01/20/2016 | <u>68</u> | 🔊 AUDIO FILE (2.4 MB) as to defendants Sergio Valencia, Sr. and Marisela Pescador regarding Motion Hearing 67 held on 1/20/2016 at 1:59 PM before Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 01/20/2016) |
| 01/21/2016 | <u>69</u> | MOTION for Writ of Habeas Corpus Ad Testificandum <i>for Jason Robert Jackson</i> by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr, Marisela Pescador. (Fullerton, Sara) (Entered: 01/21/2016) |
| 01/21/2016 | <u>70</u> | ORDER and WRIT granting <u>69</u> Motion for Writ of Habeas Corpus ad testificandum as to Sergio Valencia Sr. (1) and Marisela Pescador (2). ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Ordered by Magistrate Judge Cheryl R. Zwart. (E-mailed to USM)(JAB) (Entered: 01/21/2016) |
| 02/11/2016 | <u>73</u> | MOTION to Withdraw as Attorney by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr. (Monzon, Carlos) (Entered: 02/11/2016) |
| 03/05/2016 | <u>83</u> | ORDER denying <u>73</u> Motion to Withdraw as Attorney as to Sergio Valencia Sr. Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 03/05/2016) |
| 03/07/2016 | <u>84</u> | TEXT ORDER continuing trial as to defendant Sergio Valencia, Sr. The case set as the number 1 trial for the week of 3/14/16 is going as scheduled. The 5-day jury trial as to defendant Sergio Valencia, Sr. is continued to March 28, 2016, at 1:00 p.m. as the number 1 trial before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE or as soon thereafter as the case may be called. Ordered by Judge John M. Gerrard. (CCB) (Entered: 03/07/2016) |
| 03/08/2016 | <u>86</u> | OBJECTION TO MAGISTRATE JUDGE'S ORDER regarding Order on Motion to Withdraw as Attorney <u>83</u> by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr. (Monzon, Carlos) (Entered: 03/08/2016) |
| 03/09/2016 | <u>87</u> | ORDER that a hearing is set for March 28, 2016 at 1:00 p.m. in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard on defendant Sergio Valencia's objection <u>86</u> . Defense counsel, the government, and the defendant shall be present for the hearing. The trial currently set for March 28, 2016 is continued pending resolution of the objection. The Clerk of the Court is directed to provide notice of this order to the defendant at: 26199 Leafwood Drive, Moreno Valley, CA 92555. The time between today's date and the anticipated hearing shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act as to defendant Sergio Valencia, Sr. Ordered by Judge John M. Gerrard. (Copy mailed as directed) (JSF) (Entered: 03/09/2016) |
| 03/28/2016 | <u>89</u> | TEXT MINUTE ENTRY for proceedings held before Judge John M. Gerrard in Lincoln on 3/28/16 as to defendant Sergio Valencia. Hearing held on Carlos Monzon's objection to magistrate judge's order denying his request to withdraw as counsel for defendant. Court finds defendant does qualify for a court appointed counsel and good cause having been shown, the Court sustains defendant's objection and appoints Carlos Monzon as CJA counsel for defendant. Order forthcoming. Trial is set as the number 1 trial for 5 trial days on 5/9/16 at 9:00 a.m. in Courtroom #1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. The Court finds the time between today's date and the trial date of May 9, 2016, is excluded for purposes of |

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| | | computation of the Speedy Trial Act in the interest of justice. Defendant is released on previous order setting conditions of release. Appearance for Plaintiff: Sara Fullerton; Defendant: Carlos Monzon, CJA; Courtroom Deputy: Colleen Beran; Court Reporter: Rogene Schroder. Interpreter Used: no. No interpreter used during hearing. Time Start: 1:24 p.m.; Time Stop: 1:42 p.m.; Time in Court: 18 Minutes. (CCB) (Entered: 03/28/2016) |
| 03/28/2016 | <u>91</u> | MOTION for Writ of Habeas Corpus Ad Testificandum for <i>Jason Jackson</i> by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr. (Fullerton, Sara) (Entered: 03/28/2016) |
| 03/28/2016 | <u>92</u> | ORDER that defendant's objection <u>86</u> to the magistrate judge's order denying defense counsel's motion to withdraw is sustained as to defendant Sergio Valencia, Sr. Carlos Monzon is no longer private counsel and is appointed pursuant to the Criminal Justice Act as attorney of record for defendant and shall file an appearance in his capacity as appointed counsel. The Federal Public Defender's office shall provide counsel with a draft appointment order (CJA Form 20). Upon the defendant's motion to continue trial, the trial currently set for 3/28/16 is continued to 5/9/2016 at 09:00 AM as the number 1 trial in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. The time between today's date and the anticipated trial date shall be excludable time under the requirements of the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(1)(D) & (h)(7). Clerk is directed to provide a copy of this order to the Federal Public Defender and Carlos A. Monzon. Ordered by Judge John M. Gerrard. (Copy to defendant's counsel and the Federal Public Defender as directed)(CCB) (Entered: 03/28/2016) |
| 03/28/2016 | <u>93</u> | ORDER and WRIT granting <u>91</u> Motion for Writ of Habeas Corpus ad testificandum as to Sergio Valencia Sr. (1). ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT Ordered by Magistrate Judge Cheryl R. Zwart. (E-mailed to USM)(JAB) (Entered: 03/28/2016) |
| 04/06/2016 | <u>94</u> | TRIAL ORDER as to defendant Sergio Valencia, Sr. Jury Trial set for 5/9/2016 at 9:30 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Judge John M. Gerrard. (JSF) (Entered: 04/06/2016) |
| 05/02/2016 | <u>99</u> | ORDER SETTING CHANGE OF PLEA HEARING – Change of Plea Hearing set for 5/10/2016 at 10:00 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. At least two (2) working days in advance of the plea proceeding above, counsel for plaintiff and for defendant shall email to the undersigned judge a copy of the following: (a) a copy of the Petition to Enter A Guilty Plea; (b) a copy of any plea agreement; and (c) a copy of any charging document not yet on file. Failure to meet this deadline will cause the plea proceeding to be cancelled. The time between today's date and the date of the hearing is excluded under 18 U.S.C. 3161(h)(7). The ends of justice outweigh the best interest of the public and defendant in a speedy trial, and the failure to grant a continuance would result in a miscarriage of justice as to defendant Sergio Valencia, Sr. Ordered by Judge John M. Gerrard. (JSF) (Entered: 05/02/2016) |
| 05/10/2016 | 101 | TEXT MINUTE ENTRY for proceedings held before Judge John M. Gerrard in Lincoln on 5/10/16 as to defendant Sergio Valencia, Sr. Change of plea was scheduled for this date. Defendant states he does not wish to enter plea of guilty. Offered plea agreement was discussed and counsel indicated defendant rejected proposed plea agreement and elects to proceed to trial. Court grants defendant's motion to continue and jury trial will be set. Trial is scheduled as the number one criminal trial for 5 days on July 11, 2016, at 9:30 a.m. before Judge Gerrard. Defendant waives speedy trial and the time between today's date and July 11, 2016, will be excluded under the Speedy Trial Act. Defendant is released under the same terms and conditions of pretrial release as previously imposed. Appearance for Plaintiff: Steve Russell for Sara Fullerton; Defendant: Carlos Monzon, CJA; Courtroom Deputy: Colleen Beran; Court Reporter: Digitally recorded. No interpreter used during hearing. Time Start: 10:07 a.m.; Time Stop: 10:19 a.m.; Time in Court: 12 Minutes. (CCB) (Entered: 05/10/2016) |

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| 05/10/2016 | <u>102</u> | ☞ RESTRICTED AUDIO FILE (2.9 MB) as to defendant Sergio Valencia, Sr. 101 held on 5/10/16 at 10:07 a.m. before District Judge John M. Gerrard. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(e). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (CCB) (Entered: 05/10/2016) |
| 05/10/2016 | <u>103</u> | TRIAL ORDER as to defendant Sergio Valencia, Sr. Jury Trial set for 7/11/2016 at 09:30 AM for 5 days in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Judge John M. Gerrard. (CCB) (Entered: 05/10/2016) |
| 06/29/2016 | <u>108</u> | NOTICE of <i>Intent to Introduce Evidence of Subsequent Similar Acts and/or Rule 404(b) Evidence</i> by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr. (Fullerton, Sara) (Entered: 06/29/2016) |
| 07/06/2016 | <u>109</u> | MOTION to file under Seal by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr. (Fullerton, Sara) (Entered: 07/06/2016) |
| 07/06/2016 | <u>110</u> | NOTICE of Jury Pool Trial Report and Supplemental Questionnaires as to defendant Sergio Valencia, Sr. Counsel should refrain from reproducing and/or distributing these documents. Counsel is required to permanently delete electronic copies and destroy paper copies of the supplemental questionnaires after voir dire. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (CS) (Entered: 07/06/2016) |
| 07/06/2016 | <u>112</u> | TEXT ORDER granting <u>109</u> Motion to Seal as to Sergio Valencia Sr. (1) Ordered by Magistrate Judge Cheryl R. Zwart. (Zwart, Cheryl) (Entered: 07/06/2016) |
| 07/07/2016 | <u>114</u> | TEXT REQUEST FOR INTERPRETER FOR TRIAL. The services of a Spanish interpreter are needed on 07/18/2016 for the following: defendant, government witness, by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr. (Fullerton, Sara) (Entered: 07/07/2016) |
| 07/10/2016 | <u>117</u> | PROPOSED WITNESS LIST by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr (Fullerton, Sara) (Entered: 07/10/2016) |
| 07/11/2016 | <u>118</u> | MOTION in Limine by Attorney Carlos A. Monzon as to defendant Sergio Valencia, Sr. (LAC) (Entered: 07/11/2016) |
| 07/11/2016 | <u>119</u> | MOTION in Limine to Exclude Expert Testimony by Attorney Carlos A. Monzon as to defendant Sergio Valencia, Sr. (LAC) (Entered: 07/11/2016) |
| 07/11/2016 | <u>121</u> | TEXT MINUTE ENTRY for jury trial proceedings held before Judge John M. Gerrard in Lincoln on 7/11/16 as to defendant Sergio Valencia, Sr. Pretrial conference held in courtroom outside presence of jury. Court overrules defendant's motion in limine to exclude expert testimony <u>119</u> and overrules defendant's motion in limine <u>118</u> as to paragraphs 1 through 5 and sustains paragraph 6. Defendant's motion to sequester witnesses is granted and it is reciprocal. Court inquired into the necessity of a further Missouri vs. Frye hearing based on counsels' representation and no further hearing was necessary. Jury selected. Juror #2 was excused based on educational hardship and necessity. At defendant's request, Government was ordered not to have contact with witness Alejandro Memije-Fuentes pursuant to Peery vs. Leakey. Trial not concluded, continued to 7/12/16 at 8:45 a.m. in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, Nebraska, before Judge John M. Gerrard. Defendant released on previous order setting conditions of release. Appearance for Government: Sara Fullerton; for Defendant: Carlos Monzon, CJA; Courtroom Deputy: Colleen Beran; Court Reporter: Rogene Schroder. Spanish Interpreter Laura Garcia-Hein and Spanish Interpreter Kelly Vasquez used – Live. Time Start: 9:34 a.m.; Time Stop: 4:35 a.m.; Time in Court: 5 Hours 50 Minutes. (CCB) (Entered: 07/11/2016) |
| 07/11/2016 | <u>122</u> | JURY PANEL RECORD as to defendant Sergio Valencia, Sr. ACCESS TO THE PDF DOCUMENT IS RESTRICTED PURSUANT TO THE E-GOVERNMENT ACT. |

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| | | ACCESS IS LIMITED TO COUNSEL OF RECORD AND THE COURT. (CCB) (Entered: 07/11/2016) |
| 07/11/2016 | <u>123</u> | PRELIMINARY JURY INSTRUCTIONS as to defendant Sergio Valencia, Sr. (CCB) (Entered: 07/11/2016) |
| 07/11/2016 | <u>124</u> | NOTICE of Notice of Compliance Pursuant to Local Criminal Rule 16.1(a) <i>Expert Witness</i> by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr. (Fullerton, Sara) (Entered: 07/11/2016) |
| 07/12/2016 | 125 | TEXT MINUTE ENTRY for jury trial proceedings held before Judge John M. Gerrard in Lincoln on 7/12/16 as to defendant Sergio Valencia, Sr. Evidence by Government and Defendant. Trial not concluded, continued to 7/13/16 at 8:45 a.m. in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Defendant is released on previous order setting conditions of release. Appearance for Government: Sara Fullerton; for Defendant: Carlos Monzon, CJA; Courtroom Deputy: Colleen Beran; Court Reporter: Rogene Schroder; Spanish Interpreter Laura Garcia-Hein – Interpreter Kelly Vasquez used – Live. Time Start: 9:01 a.m.; Time Stop: 4:35 p.m.; Time in Court: 5 Hours 40 Minutes. (CCB) (Entered: 07/12/2016) |
| 07/13/2016 | <u>126</u> | NOTICE of <i>Subpoena</i> by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr, Marisela Pescador. (Monzon, Carlos) (Entered: 07/13/2016) |
| 07/13/2016 | <u>127</u> | NOTICE of <i>Subpoena Duces Tecum</i> by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr, Marisela Pescador. (Monzon, Carlos) (Entered: 07/13/2016) |
| 07/13/2016 | 128 | TEXT MINUTE ENTRY for jury trial proceedings held before Judge John M. Gerrard in Lincoln on 7/13/16 as to defendant Sergio Valencia, Sr. Evidence by Government and Defendant. Court overrules Defendant's oral motions in limine to exclude testimony as to proffers of Juan Carlos Garcia and Guero and overrules defendant's renewed motion in limine, except for Exhibit 15X, regarding the picture of Jesus Malverde being shown to the jury. Jackson v. Denno hearing held outside the presence of the jury and Court finds defendant's statements were voluntary and admissible in court. Trial not concluded, continued to 7/14/16 at 8:45 a.m. in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Defendant is released on previous order setting conditions of release. Appearance for Government: Sara Fullerton; for Defendant: Carlos Monzon, CJA; Courtroom Deputies: Colleen Beran and Beth Hillman; Court Reporter: Rogene Schroder. Spanish Interpreter Laura Garcia-Hein – Interpreter Kelly Vasquez used – Live. Time Start: 8:49 a.m.; Time Stop: 4:40 p.m.; Time in Court: 6 Hours 18 Minutes. (CCB) (Entered: 07/13/2016) |
| 07/14/2016 | 129 | TEXT MINUTE ENTRY for jury trial proceedings held before Judge John M. Gerrard in Lincoln on 7/14/16 as to defendant Sergio Valencia, Sr.; Evidence by Government and Defendant; Plaintiff rests; court enters its Bell findings and finds that the co-conspirators statements are admissible; defendant's Rule 29 motion is overruled; Trial not concluded, continued to 7/15/16 at 8:45 a.m. in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard; Defendant is released on previous order setting conditions of release; Appearance for Government: Sara Fullerton; for Defendant: Carlos Monzon, CJA; Courtroom Deputy: Beth Hillman; Court Reporter: Rogene Schroder; Spanish Interpreter Laura Garcia-Hein – Live; Time Start: 8:47 AM; Time Stop: 5:22 AM; Time in Court: 7 Hours 15 Minutes. (BMH) (Entered: 07/14/2016) |
| 07/15/2016 | 131 | TEXT MINUTE ENTRY for jury trial proceedings held in Lincoln on 7/15/16 before Judge John M. Gerrard as to defendant Sergio Valencia, Sr. Evidence by the defendant. Defendant rests. Formal jury instruction conference held outside the presence of the jury. Final Jury instructions read and closing arguments made. Jury received case at 3:46 p.m. and returned at 6:24 p.m. without verdict. Jury instructed to report back at 8:45 a.m. on Monday, July 18, 2016. Defendant is released on previous order setting conditions of release. Appearances for Government: Sara Fullerton; for Defendant: Carlos A. Monzon, CJA; Courtroom Deputy: Beth Hillman; Court Reporter: Rogene Schroder. No interpreter used during hearing. Time Start: 8:47 AM; Time Stop: 3:50 PM; Time in Court: 4 Hours 48 Minutes. (BMH) (Entered: 07/15/2016) |

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| 07/15/2016 | <u>132</u> | WITNESS LIST as to defendant Sergio Valencia, Sr from jury trial held on 7/11/16–7/15/16 (BMH) Modified on 7/15/2016 to remove filing numbers of minutes(BMH). (Entered: 07/15/2016) |
| 07/15/2016 | <u>133</u> | EXHIBIT LIST as to defendant Sergio Valencia, Sr regarding the jury trial held 7/11/16–7/15/16 (BMH). Modified on 7/15/2016 to remove filing numbers of minutes (BMH). (Entered: 07/15/2016) |
| 07/15/2016 | <u>134</u> | FINAL JURY INSTRUCTIONS as to defendant Sergio Valencia, Sr (BMH) (Entered: 07/15/2016) |
| 07/18/2016 | 135 | TEXT MINUTE ENTRY for jury trial proceedings held in Lincoln on 7/18/16 before Judge John M. Gerrard as to defendant Sergio Valencia, Sr.; Jury resumed deliberations and returned to the courtroom at 12:09 p.m. with a verdict; the court accepts the verdict and orders it filed and recorded; defendant is found guilty as to Counts II and III of the Indictment; Sentencing set for 10/20/16 at 10:00 a.m in Courtroom 1 – Lincoln; Defendant remanded to the custody of the U.S. Marshal; Appearances for Government: Sara Fullerton; for Defendant: Carlos Monzon, CJA; Courtroom Deputy: Beth Hillman; Court Reporter: Rogene Schroder; no interpreter used during hearing; Time Start: 12:09 PM; Time Stop: 12:22 PM; Time in Court: 13 Minutes. (BMH) (Entered: 07/18/2016) |
| 07/18/2016 | <u>136</u> | JURY VERDICT with foreperson's signature redacted pursuant to the E–Government Act as to defendant Sergio Valencia, Sr.; Guilty as to Count II, Conspiracy to Commit Money Laundering, and Count III, Conspiracy to Distribute Methamphetamine; defendant found responsible for less than 50 grams of a mixture or substance containing methamphetamine; defendant found Not Guilty as to Count I, Conspiracy to Structure Transactions; Defendant is remanded to the custody of the U.S. Marshal pending sentencing – PART 1 OF 2 (BMH) (Entered: 07/18/2016) |
| 07/18/2016 | <u>137</u> | PART 2 OF 2 – FOREPERSON'S SIGNATURE PAGE regarding Jury Verdict <u>136</u> as to defendant Sergio Valencia, Sr. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(e). ALL COUNSEL OF RECORD IN MULTI–DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (BMH) (Entered: 07/18/2016) |
| 07/18/2016 | <u>138</u> | ORDER ON SENTENCING SCHEDULE as to defendant Sergio Valencia, Sr.; Sentencing set for 10/20/2016 at 10:00 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Judge John M. Gerrard. (BMH) (Entered: 07/18/2016) |
| 07/18/2016 | <u>139</u> | EXHIBIT RECEIPT BY PLAINTIFF as to defendant Sergio Valencia, Sr., from jury trial held 7/11/16–7/15/16. (BMH) (Entered: 07/18/2016) |
| 07/18/2016 | <u>140</u> | EXHIBIT RECEIPT BY DEFENDANT as to defendant Sergio Valencia, Sr., from the jury trial held on 7/11/16–7/15/16. (BMH) (Entered: 07/18/2016) |
| 07/18/2016 | 141 | TEXT ORDER as to defendant Sergio Valencia, Sr. The defendant has been found not guilty as to Count I of the Indictment and found guilty as to Counts II and III of the Indictment. The forfeiture allegations of the Indictment remain to be disposed of. The government is given leave, pursuant to Fed. R. Crim. P. 32.2(b)(1), to move for a preliminary order of forfeiture. Ordered by Judge John M. Gerrard. (DCD) (Entered: 07/18/2016) |
| 08/02/2016 | <u>144</u> | MOTION for Preliminary Forfeiture by Attorney Nancy A. Svoboda as to defendant(s) Sergio Valencia, Sr, Marisela Pescador. (Svoboda, Nancy) (Entered: 08/02/2016) |
| 08/15/2016 | <u>145</u> | RESTRICTED PRELIMINARY ORDER OF FORFEITURE that the plaintiff's Motion for Preliminary Order of Forfeiture (filing <u>144</u>) is granted. The plaintiff is authorized to seize the \$141,500 in United States currency. The defendants' interest in the property is forfeited to the plaintiff for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n). The property is to be held by the plaintiff in its secure custody and control. Upon adjudication of all third–party interests, the Court will enter a final order of forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E–GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL |

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| | | PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT as to defendant Sergio Valencia, Sr. and Marisela Pescador. Ordered by Judge John M. Gerrard. (1 Certified copy to USM) (LAC) (Entered: 08/15/2016) |
| 09/20/2016 | 147 | TEXT ORDER amending the sentencing schedule as to defendant Sergio Valencia, Sr. Based on an email from the defendant's counsel, the court revises the sentencing schedule as follows. Objections by counsel to the initial presentence report shall be made on or before <u>September 21, 2016</u> . The probation office shall submit the initial or revised presentence report to the Court and counsel on or before <u>September 30, 2016</u> . The proposals to the probation office and motions to the Court set forth in Paragraph 6 of the Court's Order on Sentencing Schedule <u>138</u> shall be filed on or before <u>October 7, 2016</u> . The Court's tentative sentencing findings shall be filed on or before <u>October 13, 2016</u> . Sentencing shall remain set for October 20, 2016. Ordered by Judge John M. Gerrard. (DCD) (Entered: 09/20/2016) |
| 09/21/2016 | 148 | REQUEST FOR TRANSCRIPT for proceedings held on July 12–14, 2016 regarding Minutes, Filing 128 Jury Trial – Held,,, 125 Jury Trial – Held,, 129 Jury Trial – Held,,, before District Judge John M. Gerrard ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr.. (Fullerton, Sara) (Entered: 09/21/2016) |
| 09/29/2016 | 149 | MOTION for Writ of Habeas Corpus Ad Testificandum for <i>Yulio Cervino Hernandez</i> by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr.. (Monzon, Carlos) (Entered: 09/29/2016) |
| 09/29/2016 | 150 | ATTACHMENT – CONTINUED as to defendant(s) Sergio Valencia, Sr. regarding MOTION for Writ of Habeas Corpus Ad Testificandum for <i>Yulio Cervino Hernandez</i> <u>149</u> . by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr.. (Monzon, Carlos) (Entered: 09/29/2016) |
| 09/30/2016 | 151 | ORDER and WRIT granting <u>149</u> Motion for Writ of Habeas Corpus ad testificandum as to Sergio Valencia Sr. (1). ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Ordered by Magistrate Judge Cheryl R. Zwart. (E-mailed to USM)(JAB) (Entered: 09/30/2016) |
| 10/04/2016 | 152 | TRANSCRIPT (UNREDACTED) of Trial Testimony of Alejandro Memije–Fuentes before District Judge John M. Gerrard on July 11–12, 2016, as to defendant Sergio Valencia, Sr. Total Number of Billable Pages: 187. Total Number of Pages: 187. In accordance with the transcript redaction procedure, available at http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf , the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661–7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 10/25/2016. Redacted Transcript Deadline set for 11/4/2016. Release of Transcript Restriction set for 1/3/2017. (RSS) Modified on 1/6/2017 to remove text regarding restricted access. (LAC). (Entered: 10/04/2016) |
| 10/04/2016 | 153 | TRANSCRIPT (UNREDACTED) of Trial Testimony of Juan Carlos Garcia before District Judge John M. Gerrard on July 12–13, 2016, as to defendant Sergio Valencia, Sr. Total Number of Billable Pages: 91. Total Number of Pages: 91. In accordance with the transcript redaction procedure, available at http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf , |

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| | | <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 10/25/2016. Redacted Transcript Deadline set for 11/4/2016. Release of Transcript Restriction set for 1/3/2017. (RSS) Modified on 1/6/2017 to remove text regarding restricted access. (LAC). (Entered: 10/04/2016)</p> |
| 10/04/2016 | <u>154</u> | <p>TRANSCRIPT (UNREDACTED) of Trial Testimony of Mark Claypool before District Judge John M. Gerrard on July 13, 2016 as to defendant Sergio Valencia, Sr. Total Number of Billable Pages: 130. Total Number of Pages: 130. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 10/25/2016. Redacted Transcript Deadline set for 11/4/2016. Release of Transcript Restriction set for 1/3/2017. (RSS) Modified on 1/6/2017 to remove text regarding restricted access. (LAC). (Entered: 10/04/2016)</p> |
| 10/04/2016 | <u>155</u> | <p>TRANSCRIPT (UNREDACTED) of Trial Testimony of Jason Jackson before District Judge John M. Gerrard on July 13, 2016 as to defendant Sergio Valencia, Sr. Total Number of Billable Pages: 23. Total Number of Pages: 23. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 10/25/2016. Redacted Transcript Deadline set for 11/4/2016. Release of Transcript Restriction set for 1/3/2017. (RSS) Modified on 1/6/2017 to remove text regarding restricted access. (LAC). (Entered: 10/04/2016)</p> |
| 10/04/2016 | <u>156</u> | <p>TRANSCRIPT (UNREDACTED) of Trial Testimony of Amber Dieckhoff before District Judge John M. Gerrard on July 13, 2016 as to defendant Sergio Valencia, Sr. Total Number of Billable Pages: 35. Total Number of Pages: 35. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 10/25/2016. Redacted Transcript Deadline set for 11/4/2016. Release of Transcript Restriction set for 1/3/2017. (RSS) Modified on 1/6/2017 to remove text regarding restricted access. (LAC). (Entered: 10/04/2016)</p> |
| 10/04/2016 | <u>157</u> | <p>TRANSCRIPT (UNREDACTED) of Trial Testimony of Rudolph DeLeon before District Judge John M. Gerrard on July 14, 2016 as to defendant Sergio Valencia, Sr. Total Number of Billable Pages: 76. Total Number of Pages: 76. In accordance with the transcript redaction procedure, available at</p> |

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| | | <p><u>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</u></p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 10/25/2016. Redacted Transcript Deadline set for 11/4/2016. Release of Transcript Restriction set for 1/3/2017. (RSS) Modified on 1/6/2017 to remove text regarding restricted access. (LAC). (Entered: 10/04/2016)</p> |
| 10/04/2016 | <u>158</u> | <p>TRANSCRIPT (UNREDACTED) of Trial Testimony of Luis Lorenzana-Lopez before District Judge John M. Gerrard on July 14, 2016 as to defendant Sergio Valencia, Sr. Total Number of Billable Pages: 62. Total Number of Pages: 62. In accordance with the transcript redaction procedure, available at</p> <p><u>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</u></p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Redaction Request due 10/25/2016. Redacted Transcript Deadline set for 11/4/2016. Release of Transcript Restriction set for 1/3/2017. (RSS) Modified on 1/6/2017 to remove text regarding restricted access. (LAC). (Entered: 10/04/2016)</p> |
| 10/12/2016 | <u>159</u> | <p>TEXT ORDER RESETTING SENTENCING HEARING as to defendant Sergio Valencia, Sr. Upon oral motion of defendant's counsel, without objection by the Government, Sentencing is reset for 12/15/2016 at 09:00 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Judge John M. Gerrard. (KMM) (Entered: 10/12/2016)</p> |
| 10/12/2016 | <u>160</u> | <p>ADOPTION OF/STATEMENT REGARDING PRESENTENCE REPORT by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr.. (Fullerton, Sara) (Entered: 10/12/2016)</p> |
| 10/12/2016 | <u>162</u> | <p>TEXT ORDER amending the sentencing schedule as to defendant Sergio Valencia, Sr. The proposals to the probation office and motions to the Court set forth in Paragraph 6 of the Court's Order on Sentencing Schedule <u>138</u> shall be filed on or before <u>November 23, 2016</u>. The Court's tentative sentencing findings shall be filed on or before November 30, 2016. Sentencing shall remain set for December 15, 2016. Ordered by Judge John M. Gerrard. (DCD) (Entered: 10/12/2016)</p> |
| 11/23/2016 | <u>164</u> | <p>TEXT ORDER RESETTING SENTENCING HEARING as to defendant Sergio Valencia, Sr. On the Court's own motion, without objection by counsel, Sentencing is reset for 1/25/2017 at 09:00 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Judge John M. Gerrard. (KMM) (Entered: 11/23/2016)</p> |
| 11/29/2016 | <u>166</u> | <p>TENTATIVE FINDINGS OF FACT regarding Presentence Investigation Report as to defendant Sergio Valencia, Sr. No objections or motion for departure or variance have been filed. Ordered by Judge John M. Gerrard. (CCB) (Entered: 11/29/2016)</p> |
| 01/11/2017 | <u>167</u> | <p>TEXT ORDER RESETTING SENTENCING HEARING as to defendant Sergio Valencia, Sr. On the Court's own motion, without objection by counsel, Sentencing is reset for 2/28/2017 at 10:30 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Judge John M. Gerrard. (KMM) (Entered: 01/11/2017)</p> |
| 02/15/2017 | <u>169</u> | <p>MOTION for Writ of Habeas Corpus Ad Testificandum for Oscar Garcia by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr.. (Monzon, Carlos) (Entered: 02/15/2017)</p> |

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| 02/15/2017 | <u>170</u> | ATTACHMENT – CONTINUED as to defendant(s) Sergio Valencia, Sr. regarding MOTION for Writ of Habeas Corpus Ad Testificandum for Oscar Garcia <u>169</u> . by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr.. (Monzon, Carlos) (Entered: 02/15/2017) |
| 02/16/2017 | 171 | TEXT ORDER granting <u>169</u> Motion for Writ of Habeas Corpus ad testificandum as to Sergio Valencia Sr. (1). Ordered by Magistrate Judge Cheryl R. Zwart. (JAB) (Entered: 02/16/2017) |
| 02/16/2017 | <u>172</u> | WRIT (COPY) of Habeas Corpus ad Testificandum issued as to Oscar Garcia. E-mailed to USM along with order. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (JAB) (Entered: 02/16/2017) |
| 02/27/2017 | <u>173</u> | JOINT MOTION to Continue <i>Sentencing</i> by Attorney Thomas R. Lamb as to defendant(s) Sergio Valencia, Sr., Marisela Pescador. (Lamb, Thomas) (Entered: 02/27/2017) |
| 02/27/2017 | <u>174</u> | JOINT MOTION to Continue <i>Sentencing</i> by Attorney Sara E. Fullerton as to defendant(s) Sergio Valencia, Sr.. (Fullerton, Sara) (Entered: 02/27/2017) |
| 02/27/2017 | 176 | TEXT ORDER granting <u>174</u> Motion to Continue as to Sergio Valencia Sr. Sentencing set for 4/27/2017 at 10:30 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Ordered by Judge John M. Gerrard. (DCD) (Entered: 02/27/2017) |
| 04/25/2017 | <u>177</u> | UNOPPOSED MOTION to Continue <i>Sentencing</i> by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr.. (Monzon, Carlos) (Entered: 04/25/2017) |
| 04/25/2017 | <u>179</u> | ORDER that the defendant's Unopposed Motion to Continue Sentencing (filing <u>177</u>) is granted. Defendant Sergio Valencia, Sr.'s sentencing is continued to May 30, 2017, at 11:30 a.m., before the undersigned United States District Judge, in Courtroom No. 1, Robert V. Denney United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. The defendant shall be present at the hearing. Ordered by Judge John M. Gerrard. (LAC) (Entered: 04/25/2017) |
| 05/30/2017 | 181 | TEXT MINUTE ENTRY for sentencing proceedings held before Judge John M. Gerrard in Lincoln on 5/30/17 as to defendant Sergio Valencia, Sr. Evidence taken on defendant's objections to the presentence report. Argument and remainder of sentencing hearing set for 6/5/2017 at 10:00 AM in Courtroom 1, Robert V. Denney Federal Building, 100 Centennial Mall North, Lincoln, NE before Judge John M. Gerrard. Appearance for Plaintiff: Sara Fullerton; Defendant: Carlos Monzon, CJA; Probation Officer: JR Holder; Courtroom Deputy: Colleen Beran; Court Reporter: Sue Devetter. Spanish Interpreter Laura Garcia-Hein – Remote (for witness only). Time Start: 11:34 a.m.; Time Stop: 3:55 p.m.; Time in Court: 2 hours 33 minutes. (CCB) (Entered: 05/30/2017) |
| 05/30/2017 | <u>182</u> | WITNESS LIST as to defendant Sergio Valencia, Sr. from sentencing hearing held on 5/30/17 181 .(CCB) (Entered: 05/30/2017) |
| 05/30/2017 | <u>183</u> | EXHIBIT LIST as to defendant Sergio Valencia, Sr. from sentencing hearing held on 5/30/17 181 .(CCB) (Entered: 05/30/2017) |
| 06/05/2017 | 185 | TEXT MINUTE ENTRY for continuation of sentencing proceedings held before Judge John M. Gerrard as to defendant Sergio Valencia, Sr. in Lincoln on 6/5/17. Arguments by counsel. Court modifies Defendant's objections as to Paragraphs 19 through 27, 29, 30, 38, 39, 40, 42, 44, 45 and 47 as to his findings and adopts the remainder of the Presentence Report. Court denies defendant's motion for departure and grants a downward variance. On verdict of guilty as to Count II and Count III of the Indictment, it is ordered that the defendant is sentenced to the custody of the Bureau of Prisons for a term of 160 months as to Counts II and III, said terms to run concurrent, followed by 3 years of supervised release with special conditions as to Counts II and III, said terms to run concurrent, and pay the special assessment in the amount of \$200.00. Defendant was found not guilty on Count I of the indictment. On motion of the Government, preliminary order of forfeiture dated 8/15/16 is vacated and the court finds the forfeiture counts as to Sergio Valencia and Marisela Pescador are |

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| | | dismissed. Defendant is remanded to the custody of the United States Marshal. Appearance for Plaintiff: Sara Fullerton; Defendant: Carlos Monzon, CJA; Probation Officer: JR Holder; Courtroom Deputy: Colleen Beran; Court Reporter: Sue Devetter. No interpreter used during hearing. Time Start: 10:01 a.m.; Time Stop: 10:41 a.m; Time in Court: 40 Minutes. (CCB) (Entered: 06/05/2017) |
| 06/05/2017 | <u>186</u> | NOTICE OF RIGHT TO APPEAL in criminal cases and counsel's acknowledgment and receipt of the 8th Circuit's Rule 27C by Attorney Carlos A. Monzon as to defendant Sergio Valencia, Sr. (CCB) (Entered: 06/05/2017) |
| 06/05/2017 | <u>187</u> | EXHIBIT RECEIPT BY PLAINTIFF as to defendant Sergio Valencia, Sr. from sentencing hearing held on 5/30/17 181 . (CCB) (Entered: 06/05/2017) |
| 06/05/2017 | <u>188</u> | EXHIBIT RECEIPT BY DEFENDANT as to defendant Sergio Valencia, Sr. from sentencing hearing held on 5/30/17 181 . (CCB) (Entered: 06/05/2017) |
| 06/06/2017 | <u>191</u> | JUDGMENT as to Sergio Valencia, Sr. The defendant has been found not guilty on Count I of the Indictment. Defendant was found guilty on Counts II and III of the Indictment after a plea of not guilty and was committed to the custody of the Bureau of Prisons for 160 months as to counts II and III, said terms to run concurrent; 3 years Supervised Release with special conditions as to counts II and III, said terms to run concurrent; \$200.00 Special Assessment. On motion of the Government, the preliminary order of forfeiture is vacated and the forfeiture counts as to Sergio Valencia and Marisela Pescador will stand dismissed. Ordered by Judge John M. Gerrard. (4 Certified copies to USM)(SLP) (Entered: 06/06/2017) |
| 06/16/2017 | <u>199</u> | NOTICE OF APPEAL regarding Jury Trial – Ended,, 135 , Judgment,, <u>191</u> , Order – Text Only, 141 , Jury Verdict,, <u>136</u> by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr.. (Monzon, Carlos) (Entered: 06/16/2017) |
| 06/16/2017 | <u>200</u> | REQUEST FOR TRANSCRIPT regarding Minutes, Filing 128 Jury Trial – Held,,, 135 Jury Trial – Ended,, 125 Jury Trial – Held,, 185 Sentencing,,,,, Plea and Plea Agreement Accepted,,,,, 129 Jury Trial – Held,,, 121 Order on Motion in Limine,,,,,,, Jury Trial – Began,,,,, 101 Status Conference,,,,, Speedy Trial – Excludable Start,,, 131 Jury Trial – Held,,, before District Judge John M. Gerrard ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (Monzon, Carlos) (Entered: 06/16/2017) |
| 06/16/2017 | <u>201</u> | MOTION for Leave to Appeal In Forma Pauperis by Attorney Carlos A. Monzon as to defendant(s) Sergio Valencia, Sr.. (Attachments: # <u>1</u> Affidavit)(Monzon, Carlos) (Entered: 06/16/2017) |
| 06/16/2017 | 202 | TEXT ORDER granting <u>201</u> Motion for Leave to Appeal In Forma Pauperis as to Sergio Valencia Sr. Ordered by Judge John M. Gerrard. (DCD) (Entered: 06/16/2017) |
| 06/16/2017 | <u>203</u> | NOTIFICATION OF APPEAL AND NOA SUPPLEMENT by Clerk to USCA regarding Notice of Appeal to USCA <u>199</u> , Judgment, <u>191</u> , Jury Verdict, <u>136</u> . Notice of Appeal filed on 06/16/17 by Defendant Sergio Valencia, Sr.. NOTIFICATION TO COUNSEL AND PARTIES – FILE REQUEST FOR TRANSCRIPT WITH THE DISTRICT COURT CLERKS OFFICE. (LAC) (Entered: 06/16/2017) |
| 06/19/2017 | <u>204</u> | Letter by Clerk USCA–8th Circuit (case number 17–2345) regarding Notice of Appeal to USCA <u>199</u> as to defendant Sergio Valencia, Sr.. (Attachments: # <u>1</u> ProSe NDA) (LAC) (Entered: 06/19/2017) |
| 06/19/2017 | <u>205</u> | Order from USCA – 8th Circuit (case number 17–2345) – Attorney, Carlos A. Monzon is hereby appointed to represent appellant in this appeal under the Criminal Justice Act. Information regarding the CJA appointment and vouchering process in eVoucher will be emailed to counsel shortly. as to defendant Sergio Valencia, Sr. (LAC) (Entered: 06/19/2017) |
| 06/19/2017 | <u>206</u> | SCHEDULING LETTER from USCA – 8th Circuit (case number 17–2345) as to Notice of Appeal to USCA <u>199</u> ; as to defendant Sergio Valencia, Sr. Transcript Designation set for 7/26/2017. Clerks Record of Designation set for 7/26/2017. (LAC) (Entered: 06/19/2017) |

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| 07/19/2017 | <u>207</u> | <p>TRANSCRIPT (UNREDACTED) of Master Index of Trial Proceedings before District Judge John M. Gerrard held on July 11–15 and 18, 2016 as to defendant Sergio Valencia, Sr. Total Number of Pages: 11. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661–7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E–GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI–DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Redaction Request due 8/9/2017. Redacted Transcript Deadline set for 8/21/2017. Release of Transcript Restriction set for 10/17/2017. (RSS) (Entered: 07/19/2017)</p> |
| 07/19/2017 | <u>208</u> | <p>TRANSCRIPT (UNREDACTED) of Volume I of Trial Proceedings before District Judge John M. Gerrard held on July 11, 2016, as to defendant Sergio Valencia, Sr. Pages 1–72. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661–7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E–GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI–DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Redaction Request due 8/9/2017. Redacted Transcript Deadline set for 8/21/2017. Release of Transcript Restriction set for 10/17/2017. (RSS,) (Entered: 07/19/2017)</p> |
| 07/19/2017 | <u>209</u> | <p>TRANSCRIPT (UNREDACTED) of Volume II of Trial Proceedings before District Judge John M. Gerrard held on July 12, 2016, as to defendant Sergio Valencia, Sr. Pages 73–274. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661–7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E–GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI–DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Redaction Request due 8/9/2017. Redacted Transcript Deadline set for 8/21/2017. Release of Transcript Restriction set for 10/17/2017. (RSS) (Entered: 07/19/2017)</p> |
| 07/19/2017 | <u>210</u> | <p>TRANSCRIPT (UNREDACTED) of Volume III of Trial Proceedings before District Judge John M. Gerrard held on July 13, 2016, as to defendant Sergio Valencia, Sr. Pages: 275–543. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf</p> |

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| | | <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT.</p> <p>Redaction Request due 8/9/2017. Redacted Transcript Deadline set for 8/21/2017. Release of Transcript Restriction set for 10/17/2017. (RSS) (Entered: 07/19/2017)</p> |
| 07/19/2017 | <u>211</u> | <p>TRANSCRIPT (UNREDACTED) of Volume IV of Trial Proceedings before District Judge John M. Gerrard held on July 14, 2016, as to defendant Sergio Valencia, Sr. Pages: 544-824. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf,</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT.</p> <p>Redaction Request due 8/9/2017. Redacted Transcript Deadline set for 8/21/2017. Release of Transcript Restriction set for 10/17/2017. (RSS) (Entered: 07/19/2017)</p> |
| 07/19/2017 | <u>212</u> | <p>TRANSCRIPT (UNREDACTED) of Volume V of Trial Proceedings before District Judge John M. Gerrard held on July 15, 2016, as to defendant Sergio Valencia, Sr. Pages: 825-916. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf,</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT.</p> <p>Redaction Request due 8/9/2017. Redacted Transcript Deadline set for 8/21/2017. Release of Transcript Restriction set for 10/17/2017. (RSS) (Entered: 07/19/2017)</p> |
| 07/19/2017 | <u>213</u> | <p>TRANSCRIPT (UNREDACTED) of Volume VI of Trial Proceedings before District Judge John M. Gerrard held on July 18, 2016, as to defendant Sergio Valencia, Sr. Pages: 917-924. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf,</p> <p>the transcript may be viewed at the courts public terminal or purchased through Court Reporter Rogene S. Schroder at (402) 661-7383 or roschrod79@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND</p> |

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| | | FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Redaction Request due 8/9/2017. Redacted Transcript Deadline set for 8/21/2017. Release of Transcript Restriction set for 10/17/2017. (RSS) (Entered: 07/19/2017) |
| 07/19/2017 | <u>214</u> | <p>TRANSCRIPT (UNREDACTED) of Sentencing Proceedings, Volume VII, before District Judge John M. Gerrard held on May 30 and June 5, 2017, as to defendant(s) Sergio Valencia, Sr. Total Number of Billable Pages: 128. Pages: 925–1052. In accordance with the transcript redaction procedure, available at</p> <p>http://www.ned.uscourts.gov/internetDocs/pom/tran_redaction_procedure.pdf,</p> <p>the transcript may be viewed at the court's public terminal or purchased through Court Reporter Susan M. DeVetter at (402) 661–7309 or suedevetter@yahoo.com before the expiration of the Release of Transcript Restriction deadline. The parties have 5 business days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days.</p> <p>ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Redaction Request due 8/9/2017. Redacted Transcript Deadline set for 8/21/2017. Release of Transcript Restriction set for 10/17/2017. (SMD) (Entered: 07/19/2017)</p> |
| 07/26/2017 | <u>215</u> | DESIGNATED CLERK'S RECORD with certified docket sheet and transcripts <u>207</u> , <u>208</u> , <u>209</u> , <u>210</u> , <u>211</u> , <u>212</u> , <u>213</u> , and <u>214</u> sent to USCA – 8th Circuit (case number 17–2345) regarding Notice of Appeal to USCA <u>199</u> as to defendant Sergio Valencia, Sr.. (LAC) (Entered: 07/26/2017) |
| 07/28/2017 | <u>216</u> | MOTION for Copies as to defendant Sergio Valencia, Sr.. (LAC) (Entered: 07/28/2017) |